

REMARKS**Summary of the Office Action**

In the Office Action, the drawings are objected to under 37 C.F.R. § 1.83(a).

Claims 1-14 and 19 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Claims 1, 4-7, 9-13, and 19 are rejected under 35 U.S.C. §102 (b) as being anticipated by Japanese Publication No. 4-7264 (hereinafter “JP- ‘264”).

Summary of the Response to the Office Action

Applicants amend claims 1, 5, 8-9, and 19 and add claims 21 and 22. Accordingly, claims 1-14, 19, and 21-22 are pending for further consideration.

Drawings

To overcome the Office Action’s objection of the drawings, Applicants respectfully direct the Examiner’s attention to FIGS. 20 and 21 and page 37, line 11 through page 39, line 7 of the specification. Applicants respectfully submit that there is ample support for “two position sensors which are disposed correspondingly with the side edge position of the sheet; and a shift transportation roll which nip-transport the sheet, and which is movable perpendicularly to a transportation direction of the sheet,” features of claim 3 in the drawings and specification as originally filed. No new matter has been added. Applicants respectfully request that the objection to the drawings be removed.

All Subject Matter Complies with 35 U.S.C. § 112, second paragraph

Claims 1-14 and 19 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1, 5, 8-9, and 19 have been amended to address the alleged ambiguities pointed out by the Examiner in the June 29, 2005 Office Action. Accordingly, Applicant respectfully submits that the rejections of claims 1-2, 5, 8-9, 11, and 19 are respectfully traversed in light of the current amendments to claims 1, 5, 8-9, and 19.

With regard to claims 4 and 6-7 and 13-14, Applicants respectfully submit that there is sufficient structure recited in the claims to particularly point out and distinctly claim the invention. Furthermore, there is ample support for the claims as shown in Figs. 1-21 and pages 3-40 of the specification.

Accordingly, it is respectfully requested that all rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

The Rejection Under 35 U.S.C. § 102(b)

Claims 1, 4-7, 9-13, and 19 are rejected under 35 U.S.C. § 102 (b) as being anticipated by Hiwasa et al. (*JP- '264*). Applicants respectfully traverse the rejection for the following reasons.

Applicants respectfully submit that the Office Action has not established that *JP- '264* anticipates each and every feature of Applicants' claimed invention and that all rejections under 35 U.S.C. § 102(b) should be withdrawn. Namely, Applicants contend that independent claims 1 and 19 recite the feature of "a side position regulating mechanism which regulates a position of a side edge of a sheet in the sheet transportation path, the side position regulating mechanism having a reference member configured to change a sheet regulation position; a base member on which at least the reference member is mounted; a first adjusting mechanism which adjusts a

position of the reference member; and a second adjusting mechanism which adjusts a position of the base member.” At least these features are not disclosed or taught by *JP- ‘264*.

JP- ‘264 discloses a sheet discharge table for an imaging apparatus. The purpose of the sheet discharge table is to align and sort sheets using at least two sheet position restraining members of a simple structure by synchronizing the swing motion of a sheet discharge table with the motion of the position restraining members. See the Abstract of *JP- ‘264*. However, *JP- ‘264* fails to teach or suggest at least the above features of claims 1 and 19.

The Office Action states that *JP- ‘264* discloses “a side position regulating mechanism (including 8a, 8b, 21)” and the Office Action identifies the “reference member [as] (including 8a, 8b, 21).” The Office Action does not distinguish that the reference member items are a subset of the side position regulating mechanism and does not identify features beyond 8a, 8b, and 21, which is actually one rod bent into 3 sections, that are part of a mechanism. See FIG. 1 of *JP- ‘264*. That is, no assortment of components is identified as a mechanism.

Further, the Office Action does not distinguish between the first adjusting mechanism and the second adjusting mechanism. The Office Action states that FIG. 3 shows both the first and second adjusting mechanisms which adjust the reference member (8a, 8b, 21) and the base member 2, respectively. There is no support for this assertion in *JP- ‘264* and both the first and second adjusting mechanisms cannot be the same exact structure as alleged in the Office Action. Because *JP- ‘264* does not disclose all the features of independent claims 1 and 19, it cannot anticipate the present invention.

As pointed out in MPEP § 2131, a claim is anticipated by a prior art reference only if each and every element as set forth in the claim is found. *Verdegaal Bros. v. Union Oil Co. of*

California, 2 USPQ2d 1051 (Fed. Cir. 1987). Therefore, Applicants respectfully assert that the rejection under 35 U.S.C. § 102(b) should be withdrawn because *JP- '264* does not teach or suggest each feature of independent claims 1 and 19.

Accordingly, Applicants respectfully submit that dependent claims 4-7 and 9-13 are also allowable insofar as they recite the patentable combinations of features recited in claim 1, as well as reciting additional features that further distinguish over the applied prior art.

Additionally, new dependent claims 21 and 22 are also allowable in so far as they recite the patentable combination of features recited in independent claim 1 and as well as reciting additional features that further distinguish over the applied prior art.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

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